The House Committee on Judiciary Non-Civil offers the following substitute to HB 231:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to controlled substances, so as to change certain provisions relating to Schedules I, II, IV, and V controlled substances; to change certain provisions relating to the definition of dangerous drug; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to controlled substances, is amended in Code Section 16-13-25, relating to Schedule I controlled substances, by adding two new subparagraphs to paragraph (1) to read as follows:

"(RR) 3,4-dichloro-N-[(1-dimethylamino)cyclohexylmethyl]benzamide (AH-7921);

(SS) 3,4-dichloro-N-(2-(dimethylamino)cyclohexyl)-N-methylbenzamide (U-47700);"

SECTION 2.

Said chapter is further amended in Code Section 16-13-25, relating to Schedule I controlled substances, by revising subparagraphs (CC), (EE), (JJ), (KK), (LL), (MM), (NN), (RR), and (FFF) of and by adding new subparagraphs to paragraph (3) as follows:

"(CC) ~~3-methylfentanyl~~ Reserved;"

"(EE) ~~Para-flurofentanyl~~ Reserved;"

"(JJ) ~~Alpha-Methylthiofentanyl~~ Reserved;

(KK) ~~Acetyl-Alpha-Methylfentanyl~~ Reserved;

(LL) ~~3-Methylthiofentanyl~~ Reserved;

(MM) ~~Beta-Hydroxyfentanyl~~ Reserved;

(NN) ~~Thiofentanyl~~ Reserved;"

"(RR) ~~Beta-Hydroxy-3-Methylfentanyl~~ Reserved;"

"(FFF) ~~4-Fluoromethcathinone~~ Fluoromethcathinone;"

″(EEEE) 1-(1-benzofuran-6-yl)propan-2-amine (6-APB);

(FFFF) 1-(1-benzofuran-5-yl)-*N*-ethylpropan-2-amine (5-EAPB);″

SECTION 3.

Said chapter is further amended in Code Section 16-13-25, relating to Schedule I controlled substances, by revising subparagraphs (B) and (C) of paragraph (4) as follows:

″(B) ~~N-(1-benzyl-4-piperidyl)-N-phenylpropanamide (benzyl-fentanyl)~~ Reserved;

(C) ~~N-(1-(2-thienyl)methyl-4-piperidyl)-N-phenylpropanamide (thenylfentanyl)~~ Reserved;″

SECTION 4.

Said chapter is further amended in Code Section 16-13-25, relating to Schedule I controlled substances, by substituting the "." at the end of subparagraph (V) of paragraph (12) with a ";" and by adding new paragraphs to read as follows:

″(13) The fentanyl analog structural class, including any of the following derivatives, their salts, isomers, or salts of isomers, unless specifically utilized as part of the manufacturing process by a commercial industry of a substance or material not intended for human ingestion or consumption, as a prescription administered under medical supervision, or for research at a recognized institution, whenever the existence of these salts, isomers, or salts of isomers is possible within the specific chemical designation or unless specifically excepted or listed in this or another schedule, structurally derived from fentanyl, and whether or not further modified in any of the following ways:

(A) Substitution anywhere on the phenethyl group with:

(i) Alkyl group;

(ii) Hydroxyl group;

(iii) Halide group;

(B) Replacement of the phenethyl group with:

(i) Thienyl ethyl group, which can be further substituted with:

(I) Alkyl group;

(II) Hydroxyl group;

(III) Halide group;

(ii) Oxotetrazol ethyl group, which can be further substituted with:

(I) Alkyl group;

(II) Hydroxyl group;

(III) Halide group;

(iii) Alkyl group;

(iv) Thienyl methyl group, which can be further substituted with:

(I) Alkyl group;

(II) Hydroxyl group;

(III) Halide group;

(v) Benzyl group, which can be further substituted with:

(I) Alkyl group;

(II) Hydroxyl group;

(III) Halide group;

(vi) Furanyl ethyl group, which can be further substituted with:

(I) Alkyl group;

(II) Hydroxyl group;

(III) Halide group;

(vii) Phenyl alkyl group, which can be further substituted with:

(I) Alkyl group;

(II) Hydroxyl group;

(III) Halide group;

(viii) Pyridinyl ethyl group, which can be further substituted with:

(I) Alkyl group;

(II) Hydroxyl group;

(III) Halide group;

(ix) Diazole ethyl group, which can be further substituted with:

(I) Alkyl group;

(II) Hydroxyl group;

(III) Halide group;

(IV) Nitro group;

(x) Thiazole ethyl group, which can be further substituted with:

(I) Alkyl group;

(II) Hydroxyl group;

(III) Halide group;

(xi) Benzoxazolinone ethyl group, which can be further substituted with:

(I) Alkyl group;

(II) Hydroxyl group;

(III) Halide group;

(C) Substitution anywhere on the piperidine ring with:

(i) Alkyl group;

(ii) Allyl group;

(iii) Phenyl group;

(iv) Ester group;

(v) Ether group;

(vi) Pyridine group, which can be further substituted with:

(I) Alkyl group;

(II) Hydroxyl group;

(III) Halide group;

(vii) Thiazole group, which can be further substituted with:

(I) Alkyl group;

(II) Hydroxyl group;

(III) Halide group;

(viii) Oxadiazole group, which can be further substituted with:

(I) Alkyl group;

(II) Hydroxyl group;

(III) Halide group;

(IV) Ether group;

(D) Substitution anywhere on the propanamide group with:

(i) Cyclic alkyl group;

(ii) Acyclic alkyl group:

(iii) Methoxy group;

(E) Replacement of the propanamide group with:

(i) Acryloyl amino group;

(ii) Acetamide group, which itself can be further substituted with a cyclic alkyl group;

(iii) Methoxy acetamide group;

(iv) Furanyl amide group;

(F) Substitution anywhere on the phenyl ring with:

(i) Halide group;

(ii) Methoxy group;

(iii) Alkyl group;

(G) Replacement of the phenyl ring with the pyrazine ring;

(14) The piperidinyl-sulfonamide structural class, including any of the following compounds, derivatives, their salts, isomers, or salts of isomers, halogen analogues, or homologues, unless specifically utilized as part of the manufacturing process by a commercial industry of a substance or material not intended for human ingestion or consumption, as a prescription administered under medical supervision, or for research at a recognized institution, whenever the existence of these salts, isomers, or salts of isomers, halogen analogues, or homologues is possible within the specific chemical designation or unless specifically excepted or listed in this or another schedule,

structurally derived from piperidinyl-sulfonamide, and whether or not further modified in any of the following ways:

(A) By substitution at the 1-position of the piperidinyl ring with any of the following:

(i) Alkyl group;

(ii) Phenyl alkyl group;

(iii) Amino substituted phenyl alkyl group;

(iv) Nitro substituted phenyl alkyl group;

(v) Cycloalkyl group;

(vi) Alkenyl substituent group;

(B) By substitution at the 3-position or 4-position of the piperidinyl ring with any of the following:

(i) Halide group;

(ii) Alkyl group;

(iii) Alkoxy substituent;

(C) By substitution on the sulfonamide with any of the following:

(i) Pyridyl group;

(ii) Alkyl group;

(iii) Phenyl group;

(iv) Phenyl alkyl group;

(v) Alkoxy substituted phenyl group;

(vi) Halogen substituted phenyl group;

(vii) Nitro substituted phenyl group;

(viii) Amino substituted phenyl group;

(ix) Alkanoylamino substituted phenyl group;

(x) Amido substituted phenyl group;

(15) The 1-cyclohexyl-4-(1,2-diphenylethy)-piperazine (MT-45) structural class, including any of the following derivatives, their salts, isomers, or salts of isomers, unless specifically utilized as part of the manufacturing process by a commercial industry of a substance or material not intended for human ingestion or consumption, as a prescription administered under medical supervision, or for research at a recognized institution, whenever the existence of these salts, isomers, or salts of isomers is possible within the specific chemical designation or unless specifically excepted or listed in this or another schedule, structurally derived from 1-cyclohexyl-4-(1,2-diphenylethy)-piperazine (MT-45), and whether or not further modified in any of the following ways:

(A) Replacement of the cyclohexyl group with any of the following:

(i) Cycloheptyl group;

(ii) Cyclooctyl group;

(B) Substitution on the diphenyl groups with any of the following:

(i) Hydroxyl group;

(ii) Halide;

(iii) Alkoxy group;

(iv) Alkyl group;

(v) Ester group;

(vi) Phenyl ether group.″

SECTION 5.

Said chapter is further amended in Code Section 16-13-26, relating to Schedule II controlled substances, by adding new subparagraphs to paragraph (2) to read as follows:

″(C.5) Carfentanil;″

″(V.2) Thiafentanil;″

SECTION 6.

Said chapter is further amended in Code Section 16-13-26, relating to Schedule II controlled substances, by revising subparagraph (E) of paragraph (3) as follows:

″(E) ~~Carfentanil~~ Reserved;″

SECTION 7.

Said chapter is further amended in Code Section 16-13-28, relating to Schedule IV controlled substances, by revising paragraph (1) of subsection (b) as follows:

″(1) By substitution at the 2-position with a ketone or a thione;″

SECTION 8.

Said chapter is further amended in Code Section 16-13-29, relating to Schedule V controlled substances, by deleting "or" at the end of paragraph (5), by substituting the "." at the end of paragraph (6) with a ";", and by adding a new paragraph to read as follows:

″(7) Brivaracetam.″

SECTION 9.

Said chapter is further amended in Code Section 16-13-71, relating to the definition of a dangerous drug, by adding new paragraphs to subsection (b) to read as follows:

″(13.531) Adalimumab-atto;″

″(68.13) Atezolizumab;″

″(97.4) Bezlotoxumab;″

″(217.4) Crisaborole;″

″(244.2) Defibrotide;″

″(331.053) Elbasvir;″

″(355.6) Etanercept-szzs;″

″(355.8) Eteplirsen;″

″(430.7) Grazoprevir;″

″(472.51) Infliximab-dyyb;″

″(506.97) Ixekizumab;″

″(520.2) Lifitegrast;″

″(528.1) Lixisenatide;″

″(658.7) Nusinersen;″

″(661.03) Obeticholic acid;″

″(661.05) Obiltoxaximab;″

″(661.96) Olaratumab;″

″(663.36) Omalizumab;″

″(663.6) OnabotulinumtoxinA;″

″(769.37) Prasterone;″

″(835.5) Reslizumab;″

″(848.2) Rucaparib;″

″(1027.53) Velpatasvir;″

″(1027.57) Venetoclax;″

SECTION 10.

Said chapter is further amended in Code Section 16-13-71, relating to the definition of a dangerous drug, by revising paragraphs (13.55), (198.05), and (673) of subsection (b) as follows:

″(13.55) Adapalene — See exceptions;″

″~~(198.05) Clobazam;~~″

″(673) ~~Reserved~~ Oxymetazoline;″

SECTION 11.

Said chapter is further amended in Code Section 16-13-71, relating to the definition of a dangerous drug, by adding a new paragraph to subsection (c) to read as follows:

″(0.5) Adapalene — when used with a strength up to 0.1 percent in a topical skin product;″

SECTION 12.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 13.

All laws and parts of laws in conflict with this Act are repealed.